

The National Association of Broadcasters' attempts to stifle XM Radio's broadcasts of traffic, weather, or any programming appear to be in clear violation of XM's First Amendment rights. Local programming is no more threatened by digital radio broadcasts as it is from CNN, The Weather Channel, or any other news or information source. Local radio stations must compete with XM (just as local television stations must compete with cable or satellite broadcasts) by improving content -- not by attempting to prevent XM from offering news and information about such non-proprietary events such as traffic. When local radio stations can control meteorological events, perhaps they could claim sole right to the broadcasts concerning it -- until then, however, everyone (including XM Radio) should have the right to broadcast weather reports.